IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10779 of 2005

Between:

K. Suvarnamma W/o Gurrappa
R.Kothapalli Village, Bethamcharla Mandal Kurnool District

..... PETITIONER

AND

1 The Joint Collector, Kurnool district
2 The revenue Divisonal Officer, Kurnool district
3 The mandal Revenue Officer, Bethamcharla, Kurnool District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd Respondent in canceling the petitioner authorisation vide proceedings Rc. B. 264/2005 dt 05-04-2005 without conducting any enquiry as illegal, arbitrary, malafide and violative of control order 2001 and consequently set a side the orders of the 1st Respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.V.RAGHU VEER

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the 2nd respondent in canceling the authorization of the petitioner vide proceedings dated 05.04.2005 without conducting any enquiry as illegal and arbitrary and consequently to set aside the orders of the 1st respondent.

Petitioner was appointed as a Fair Price Shop Dealer for R.Kothapalli Village, Bethamcharla mandal, Kurnool District. The

2nd respondent issued a show cause notice dated 19.03.2005 framing three charges and required the petitioner to submit the explanation. She submitted her explanation. Subsequently, the

2nd respondent through his proceedings dated 05.04.2005 cancelled the authorization of the petitioner. Aggrieved thereby, the petitioner filed an appeal before the 1st respondent together with an application for interim orders. The 1st respondent passed an order rejecting the application for stay while admitting the appeal. Petitioner challenges the same in this writ petition and seeks appropriate relief.

Inasmuch as the appeal is pending before the 1st respondent, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to dispose of the appeal, as expeditiously as possible, not later than six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

29.04.2005

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1 The Joint Collector, Kurnool district
2 The revenue Divisonal Officer, Kurnool district
3 The mandal Revenue Officer, Bethamcharla, Kurnool District

4 2 CCs to the G.P. for Revenue, High Court of A.P., Hyderabad.

5 2 CD copies.

To